

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**NOMINEE FOR THE SUPREME COURT OF THE UNITED STATES**

**GENERAL (PUBLIC)**

1. **Name**: Full name (include any former names used).
2. **Position**: State the position for which you have been nominated.
3. **Address**: List current office address. If state of residence differs from your place of employment, please list the state where you currently reside.
4. **Birthplace**: State date and place of birth.
5. **Marital Status**: (include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es). Please, also indicate the number of dependent children.
6. **Education**: List in reverse chronological order, with most recent first, each college, law school, and any other institutions of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.
7. **Employment Record**: List in reverse chronological order, listing most recent first, all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, elected official or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or job description, or the name and address of the institution or organization and your title and responsibilities, where appropriate.
8. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number and type of discharge received. Please list, by approximate date, Selective Service classifications you have held, and state briefly the reasons for any classification other than I-A.
9. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors or awards, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement you have received.
10. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups. Also, if any such

association, committee or conference of which you were or are a member issued any reports, memoranda or policy statements prepared or produced with your participation, please furnish the committee with four (4) copies of these materials, if they are available to you. Please also provide four (4) copies of any resolutions on which you voted, the corresponding votes and minutes, as well as any speeches or statements you made with regard to policy decisions or positions taken by the association, committee or conference that you participated in. "Participation" includes, but is not limited to, membership in any working group of any such association, committee or conference which produced a report, memorandum or policy statement even where you did not contribute to it.

**11. Bar and Court Admission:**

- a. List the date(s) you took the examination and date you passed for all states where you sat for a bar examination. List any state in which you applied for reciprocal admission without taking the bar examination and the date of such admission or refusal of such admission.
- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse of membership. Give the same information for administrative bodies which require special admission to practice.

**12. Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 10 or 11 to which you belong, or to which you have belonged, or in which you have participated since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications. Please describe briefly the nature and objectives of each such organization, the nature of your participation in each such organization, and identify an officer or other person from whom more detailed information may be obtained.
- b. If any of these organizations of which you were or are a member or in which you participated issued any reports, memoranda or policy statements prepared or produced with your participation, please furnish the committee with four (4) copies of these materials, if they are available to you. Please also provide four (4) copies of any resolutions on which you voted, the corresponding votes and minutes, as well as any speeches or statements you made with regard to policy decisions or positions taken by the association, committee or conference that you participated in. "Participation" includes, but is not limited to, membership in any working group of any such association, committee or conference which produced a report, memorandum or policy statement even where you did not contribute to it. If any of these materials are not available to you, please give the name and

address of the organization that issued the report, memoranda or policy statement, the date of the document, and a summary of its subject matter.

- c. Please indicate whether any of these organizations currently discriminate or formerly discriminated on the basis of race, sex, or religion – either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

**13. Published Writings, Testimony and Speeches:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other material you have written or edited, including material published only on the Internet. Please supply four (4) copies of all published material to the Committee.
- b. Please supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy, that you have issued or provided or that others presented on your behalf to public bodies or public officials.
- c. Please list all speeches, talks, or presentations by you which relate in whole or in part to issues of law or public policy. For each one, please give the name and address of the group before which the speech was given, the date of the speech, and a summary of its subject matter. For each of these, please supply four (4) copies of your prepared remarks or any outline or notes from which you spoke. If a recording or transcript is available, please supply four (4) copies of those as well. If press reports about the speech, talk, or presentation are available to you, please supply them.
- d. Please list all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

**14. Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.
- b. If, in connection with any public office you have held, there were any reports, memoranda, or policy statements prepared or produced with your participation, please supply four (4) copies of these materials. Please also provide four (4)

copies of any resolutions, motions, legislation, nominations, or other matters on which you voted as an elected official, the corresponding votes and minutes, as well as any speeches or statements you made with regard to policy decisions or positions taken. "Participation" includes, but is not limited to, membership in any subcommittee, working group or other such group, which produced a report, memorandum or policy statement even where you did not contribute to it. If any of these materials are not available to you, please give the name of the document, the date of the document, a summary of its subject matter, and where it can be found.

- c. List all memberships and offices held in and services rendered, whether compensated or not, to any political party, election committee, or transition team. Please supply four (4) copies of any memoranda analyzing issues of law or public policy that you wrote on behalf of or in connection with a presidential transition team.
- d. If in connection with any public office, you have ever filed a financial disclosure form or ethics form or any similar form, please supply four (4) copies of each one.

15. **Legal Career:** Please answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
  - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;
  - ii. whether you practiced alone, and if so, the addresses and dates;
  - iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.
- b. Describe:
  - i. the general character of your law practice and indicate by date when its character has changed over the years.
  - ii. your typical former clients and the areas, if any, in which you have specialized.
- c. Describe whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.
  - i. Indicate the percentage of these appearances in:

1. federal courts;
      2. state courts of record;
      3. other courts.
    - ii. Indicate the percentage of these appearances in:
      1. civil proceedings;
      2. criminal proceedings.
  - d. State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel. For any appellate cases, state whether you made oral arguments, and supply four (4) copies of any briefs that were filed for those cases.
    - i. What percentage of these trials were:
      1. jury;
      2. non-jury.
  - e. Describe your practice, if any, before the Supreme Court of the United States. Please supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice. Give a detailed summary of the substance of each case, outlining briefly the factual and legal issues involved, the party or parties whom you represented, describe in detail the nature of your participation in the litigation and the final disposition of the case, and provide the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
16. **Litigation:** Describe the ten most significant litigated matters which you personally handled. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:
- a. the date of representation;
  - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
  - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

If any of these cases has already been described in 15(D) above, it need not be repeated here. In addition, list all litigated matters in which you were involved, if not covered in 15(D) above or in the first part of this question.

17. **Constitutional Issues:** Please describe in detail any cases or matters you addressed as an attorney or public official which involved constitutional questions. For each case or matter, please describe in detail the constitutional issue you dealt with, the context in which you dealt with it, and the substance of any positions you took related to that issue. Please identify and provide copies of: any briefs you have drafted or filed, transcripts or other records of any oral arguments you have made, and memoranda, speeches or other materials you have written relating in any way to such issues, as well as any other materials that reflect your familiarity with, views on, or questions regarding such issues.
18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. Please list any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s).
19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, please provide four (4) copies to the committee.
20. **Party to Civil Legal or Administrative Proceedings:** State whether you, or any business of which you are or were an officer or any partnership, trust or other business entity with which you are or were involved, have ever been a party or otherwise involved as a party in any civil, legal or administrative proceedings. If so, please describe in detail the nature of your participation in the litigation and the final disposition of the case. Include all proceedings in which you were a party in interest.
21. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Please describe the arrangements you have made to be compensated in the future for any financial or business interest.
22. **Potential Conflicts of Interest:** Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern. Identify the categories of litigation and financial arrangements that are likely to present potential conflicts-of-interest during your initial service in the position to which you have been nominated. Specifically, explain how you will resolve any conflicts that may arise by virtue of your service in the Bush Administration, as George W. Bush's personal lawyer, or as the lawyer for George W. Bush's Gubernatorial and Presidential campaigns. In addition, please explain how you will resolve any conflicts that may arise from your time engaged in the private practice of law.

23. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.
24. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding \$500 or more (If you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here.)
25. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).
26. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.
27. **Selection Process:**
- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). List all interviews or communications you had with anyone in the Executive Office of the President or the Justice Department regarding this nomination, or any other judicial nomination for which you were considered, the dates of such interviews or communications, and all persons present or participating in such interviews or communications.
  - b. Has anyone involved in the process of selecting you as a judicial nominee (including, but not limited to anyone in the Executive Office of the President, the Justice Department, or the Senate and its staff) ever discussed with you any specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, please explain fully. Please identify each communication you had prior to the announcement of your nomination with anyone in the Executive Office of the President, the Justice Department or the Senate or its staff referring or relating to your views on any case, issue or subject that could come before the Supreme Court of the United States, state who was present or participated in such communication, and describe briefly what transpired.
  - c. Did you make any representations to any individuals or interest groups as to how you might rule as a Justice if confirmed? Please describe and provide four (4) copies of all communications by the Bush Administration or individuals acting on

behalf of the Administration to any individuals or interest groups with respect to how you would rule if confirmed.

28. **Judicial Activism**: Please discuss your views on the following criticism involving “judicial activism.”

The role of the Federal judiciary within the Federal government, and within society, generally, has become the subject of increasing controversy in recent years. It has become the target of both popular and academic criticism that alleges that the judicial branch has usurped many of the prerogatives of other branches and levels of government.

Some of the characteristics of this “judicial activism” have been said to include:

- a. a tendency by the judiciary toward problem-solution rather than grievance-resolution;
- b. a tendency by the judiciary to employ the individual plaintiff as a vehicle for the imposition of far-reaching orders extending to broad classes of individuals;
- c. a tendency by the judiciary to impose broad, affirmative duties upon governments and society;
- d. a tendency by the judiciary toward loosening jurisdictional requirements such as standing and ripeness; and
- e. a tendency by the judiciary to impose itself upon other institutions in the manner of an administrator with continuing oversight responsibilities.



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**NOMINEE FOR THE SUPREME COURT OF THE UNITED STATES**

**CONFIDENTIAL**

**NAME:**

**HOME ADDRESS:**

**TELEPHONE NUMBER (both home and office):**

1. **Employment History:** State whether you have ever been discharged from employment for any reason or have ever resigned after being informed that your employer intended to discharge you.
2. **Bankruptcy and Tax Information:** Information under this heading must be provided for yourself, and any partnership, trust, or other business entity with which you were involved.
  - a. Have you and any partnership, trust, or other business entity with which you were involved, filed and paid all taxes (federal, state and local) as of the date of your nomination?
  - b. Have you or any partnership, trust, or other business entity with which you were involved, ever made any back tax payments? If so, provide full details.
  - c. Has a tax lien or other collection procedure(s) ever been instituted against you or any partnership, trust, or other business entity with which you were involved, by federal, state, or local authorities? If so, please provide full details.
  - d. Have you or any partnership, trust, or other business entity with which you were involved ever been the subject of any audit, investigation, or inquiry for federal, state, or local taxes? If so, please provide full details.
  - e. Have you or any partnership, trust, or other business entity with which you were involved, ever declared bankruptcy? If so, please provide full details.
3. **Past Investigations and Complaints:**
  - a. State whether, to your knowledge, you or any organization of which you were or are an officer, director, or active participant has ever been under federal, state, or local investigation for a possible violation of any civil or criminal statute or administrative agency regulation. If so, please provide full details.

- b. Have you ever been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group for a breach of ethics, unprofessional conduct or a violation of any rule of practice? If so, please provide full details.

4. **Health:**

- a. What is the present state of your health?
- b. Have you in the past 10 years (1) suffered an injury or illness requiring hospital treatment, or (2) been prevented from working due to injury or illness or otherwise incapacitated for a period in excess of 10 days? If so, give particulars, including the causes, the dates, the places of confinement or treatment, and the present status of the conditions which caused the hospital treatment or incapacitation.
- c. When did you have your most recent general physical examination, and who was the supervising physician?
- d. Are you currently under treatment for an illness or physical condition? If so, give details.
- e. Have you ever been treated for or had any problem with alcoholism or any related condition associated with consumption of alcoholic beverages or any other form of drug addiction or dependence? If so, give details.
- f. Have you ever been treated for or suffered from any other form of mental illness? If so, give details.

5. **Arrests:** Have you ever been arrested for, charged with, or convicted of a crime, other than a minor traffic violation, that is reflected in a record available to the public? If so, provide the relevant dates of arrest, charge and disposition, and describe the particulars of the offense.

6. **Disclosure:** Please advise the Committee of any unfavorable information that may affect your nomination.

## FINANCIAL STATEMENT

### NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings), all liabilities (including debts, mortgages, loans and other financial obligations) of yourself, your spouse and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks				Notes payable to banks-secured			
U.S. Government securities-add schedule				Notes payable to banks-unsecured			
Listed securities-add schedule				Notes payable to relatives			
Unlisted securities--add schedule				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable-add schedule			
Real estate owned-add schedule				Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property							
Cash value-life insurance							
Other assets itemize:							
				Total liabilities			
				Net Worth			
Total Assets				Total liabilities and net worth			
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)			
On leases or contracts				Are you defendant in any suits or legal actions?			
Legal Claims				Have you ever taken bankruptcy?			
Provision for Federal Income Tax							
Other special debt							

**AFFIDAVIT**

I, \_\_\_\_\_, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME)

\_\_\_\_\_  
(NOTARY)